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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91252817
Party	Defendant John Zox
Correspondence Address	DARREN M GELIEBTER LOMBARD & GELIEBTER LLP 305 BROADWAY 7TH FL NEW YORK, NY 10007 UNITED STATES dgeliebter@lgtrademark.com, ehuan@lgtrademark.com, ipdock- et@lombardip.com 212-520-1172
Submission	Answer and Counterclaim
Filer's Name	Darren M. Geliebter
Filer's email	dgeliebter@lgtrademark.com, ehuan@lgtrademark.com
Signature	/Darren M. Geliebter/
Date	03/19/2020
Attachments	2020-03-19 Answer and Counterclaim - FINAL.pdf(673956 bytes ) Exhibit A.pdf(539172 bytes ) Exhibit B.pdf(3133816 bytes ) Exhibit C.pdf(5918139 bytes )

Registrations Subject to the filing

Registration No.	4465691	Registration date	01/14/2014
Registrant	HOUSE OF KUIPERS, LLC 23823 Malibu Rd. #50-408 Malibu, CA 90265 UNITED STATES Email: kara@zox.la		

Goods/Services Subject to the filing

Class 014. First Use: 2011/08/00 First Use In Commerce: 2011/09/15 All goods and services in the class are requested, namely: Wristbands in the nature of a bracelet
Class 025. First Use: 2011/08/00 First Use In Commerce: 2011/09/15 All goods and services in the class are requested, namely: Wristbands; shirts [ ; shoes ]

Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)		
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)		
Registration No.	4759961	Registration date	06/23/2015
Registrant	House of Kuipers, LLC 578 Washington Unit 661 Marina del Rey, CA 90292		

	UNITED STATES
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### Goods/Services Subject to the filing

Class 025. First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Requested goods and services in the class: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms			
Registration No.	5233845	Registration date	06/27/2017
Registrant	House of Kuipers, LLC 23823 Malibu Rd. #50-408 Malibu, CA 91302 UNITED STATES Email: kara@zox.la		

### Goods/Services Subject to the filing

Class 018. First Use: 2011/08/01 First Use In Commerce: 2016/10/31 All goods and services in the class are requested, namely: Backpacks	
Class 035. First Use: 2011/08/00 First Use In Commerce: 2011/08/00 All goods and services in the class are requested, namely: On-line retail and wholesale store services featuring clothing apparel, wristbands, bags and accessories	

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

HOUSE OF KUIPERS LLC,

Opposer,

v.

JOHN ZOX,

Applicant.

Opposition No. 91252817

Application Serial No. 88/228,839

Mark: ZOX

**APPLICANT JOHN ZOX'S ANSWER AND COUNTERCLAIM**

Applicant John Zox ("Applicant") hereby answers Opposer House of Kuipers LLC's ("Opposer") Notice of Opposition as follows:

Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in the Preamble of the Notice of Opposition and therefore denies same.

1. Applicant admits that it is the owner of Application Serial No. 88/228,839.

Applicant further states that the U.S. Patent and Trademark Office record for said application speaks for itself. Except as expressly admitted, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 1 and therefore denies same.

2. Admitted.

3. Denied.

4. Denied

5. Applicant admits that is a co-owner of Application Serial No. 86/954,997 for ZOX (Reg. No. 5268843). Applicant admits that he is a member of the band ZOX. Applicant

admits that ZOX's last tour was in 2014, but denies any implication that ZOX has not performed since then. Applicant further admits that ZOX's music has been widely available on online streaming platforms since at least as early as 2014. Applicant denies that ZOX is a "late musical band" as the act continues to generate revenue, sell merchandise, and has a continuing intent to intent to tour and perform. Except as expressly admitted, Applicant denies the remaining allegations of Paragraph 5.

6. Denied.

7. Denied.

8. Applicant admits that the PTO record for Registration No. 2,992,108 speaks for itself. Applicant denies that House of Kuipers was assigned Reg. No. 2,992,108 on April 25, 2013. Applicant admits that Reg. No 2,992,108 was abandoned. Applicant admits that House of Kuipers stopped using the design portion of Reg. No. 2,992,108. Applicant denies that Opposer has continuously used the word portion "ZOX" as a mark in interstate commerce and denies that Opposer therefore retains all common law rights in the mark. Except as expressly admitted, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 6 and therefore denies same.

9. Applicant admits that the PTO record for Registration No. 4,412,948 speaks for itself. Applicant denies that Opposer, its predecessors, its related companies, or its licensees have continuously used the term ZOX STRAPS in interstate commerce as an identifier of a variety of goods and services since at least as early as 2011. Except as expressly admitted, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 9 and therefore denies same.

10. Applicant admits that the PTO record for Registration No. 4,465,691 speaks for

itself. Applicant denies that Opposer, its predecessors, its related companies, or its licensees have continuously used the term ZOX in interstate commerce as an identifier of a variety of goods and services since at least as early as 2011. Except as expressly admitted, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 10 and therefore denies same.

11. Applicant admits that the PTO record for Registration No. 4,759,961 speaks for itself. Applicant denies that Opposer, its predecessors, its related companies, or its licensees have continuously used the term ZOXBOS. in interstate commerce as an identifier of a variety of goods and services since at least as early as 2012. Except as expressly admitted, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 11 and therefore denies same.

12. Applicant admits that the PTO record for Registration No. 5,233,845 speaks for itself. Applicant denies that Opposer, its predecessors, its related companies, or its licensees have continuously used the term ZOX in interstate commerce as an identifier of a variety of goods and services since at least as early as 2011. Except as expressly admitted, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 12 and therefore denies same.

13. Applicant admits that the PTO record for Application Serial No. 88/659,217 speaks for itself. Except as expressly admitted, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 13 and therefore denies same.

14. Applicant denies that Opposer's alleged trademarks ZOX, ZOXBOS, ZOX STRAPS, and ZOXLIST are closely identified with Opposer's goods and have gained valuable

public recognition. Applicant denies that Opposer's alleged trademarks ZOX, ZOXBOX, ZOX STRAPS, and ZOXLIST are inherently distinctive or have become distinctive through acquisition of secondary meaning. Applicant denies that Opposer has developed significant goodwill and a valuable reputation in its alleged trademarks ZOX, ZOXBOX, ZOX STRAPS, and ZOXLIST. Except as expressly admitted, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 14 and therefore denies same.

15. Applicant denies that Opposer's goods directly overlap with Applicant's goods. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 15 and therefore denies same.

16. Denied.

17. Denied.

18. Denied.

19. Denied.

20. Denied.

21. Denied.

22. Denied.

23. Denied.

24. Denied.

25. Denied.

The remainder of the Notice of Opposition contains Opposer's prayer for relief, to which no response is required. To the extent a response is required, Applicant denies the allegations in Opposer's prayers relief and further states that Opposer is not entitled to any relief in this

opposition.

### **AFFIRMATIVE DEFENSES**

1. Opposer's opposition to Applicant's application for registration is barred by the doctrine of unclean hands, waiver, laches, estoppel, and/or acquiescence.
2. Opposer's opposition to Applicant's application for registration fails to state a claim upon which relief can be granted.
3. Opposer has no bona fide intent to use its marks in commerce with any goods or services in trade.
4. Opposer is not entitled to prevail on its opposition to Applicant's application for registration because the registrations and applications on which Opposer relies for priority were filed in bad faith to trade off of Applicant's mark.
5. Opposer is not entitled to prevail on its opposition to Applicant's application for registration because Opposer committed fraud in stating that it was unaware of Applicant's prior use of a mark with which it would be likely to cause confusion, mistake, or to deceive when it filed the registrations on which it relies for priority.
6. Opposer is not entitled to prevail on its claim(s) in whole or part due to unclean hands resulting from its fraud committed in filing the registrations and applications on which it relies for priority, knowingly and with intent to deceive, as a result of its knowledge of Applicant's prior rights in Applicant's registered and common law trademark rights in its ZOX Marks.
7. There would be no likelihood of confusion caused by Applicant's ZOX mark toward Opposer's marks due to the differences between the goods identified in Opposer's registrations and Applicant's application.

8. There would be no likelihood of confusion caused by Applicant's ZOX toward Opposer's marks mark due to the differences in target customers and industries for the respective marks.

9. There would be no likelihood of confusion caused by Applicant's ZOX mark toward Opposer's marks due to the fact that the respective goods travel through different channels of trade.

10. There would be no likelihood of confusion caused by Applicant's ZOX mark toward Opposer's marks due to the fact that there has been no actual confusion caused by Applicant's ZOX mark.

11. Opposer is not entitled to prevail on its opposition to Applicant's application for registration because the common law rights claimed in the word portion of the design mark ZOX in Registration No. 2,992,108 are invalid because Opposer stopped using or never used the design portion of the mark.

12. Opposer is not entitled to prevail on its opposition to Applicant's application for registration because the common law rights claimed in the word portion of the design mark ZOX in Registration No. 2,992,108 are invalid as a result of the mark's original owner's non-use, or discontinuation of use, of the mark in interstate commerce, in connection with some or all of the categories of goods identified in the registration as required by Section 45 of the Trademark Act, 15 U.S.C. § 1127.

13. Opposer is not entitled to prevail on its opposition to Applicant's application for registration under a tacking doctrine in reliance on the design mark ZOX in Registration No. 2,992,108 because Opposer's common law use of the word mark ZOX and registrations for ZOX, ZOXBOS, and ZOX STRAPS are not the legal equivalent of the design mark ZOX in

Registration No. 2,992,108 because they do not create the same, continuing commercial impression such that the consumer would consider them the same mark.

WHEREFORE, Applicant prays that Opposer's opposition to Applicant's application be denied and that Applicant be granted such other and further relief as this Board deems just and proper.

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## COUNTERCLAIM PETITION TO CANCEL

Applicant John Zox, an individual residing in New York, New York, believes that he is and will continue to be damaged by Opposer House of Kuiper LLC's ("Opposer") United States Registration No. 4,465,691 for ZOX, Registration No. 4,759,961 for ZOXBOX, and Registration No. 5,233,845 for ZOX, and hereby petitions to cancel the same in whole or in part under 15 U.S.C. § 1064(3) on the basis of Applicant's prior rights in Applicant's registered and common law trademark rights in its **ZOX** Marks, Opposer's procurement and maintenance of a registration in the U.S. Patent & Trademark Office for Opposer's marks by a false or fraudulent declaration or representation in writing, and non-use or discontinuance of use of Opposer's marks and intent not to resume or begin such use.

The grounds for cancellation of Opposer's ZOX and ZOXBOX marks are as follows:

### FACTS

#### *Background on Applicant and Applicant's ZOX Marks*

1. Applicant is a member of the nationally recognized Providence, Rhode Island-based indie band ZOX which was founded in 1998. Since 2001, ZOX has released three full length albums, four EP albums, and eight singles, and has been featured on Billboard's top charts. ZOX toured throughout the United States and worldwide full time between 1998 and 2009, performing between 200 and 300 shows per year. ZOX has opened for or toured with bands such as The Black Eyed Peas, O.A.R., Rusted Root, Common, Ok Go, The Roots, Everclear, Dispatch, Live, Guster, and more. ZOX has been a featured artist at South by Southwest music festival in Austin, Texas, and has toured on the Warped Tour, the largest traveling music festival in the United States. Other festivals ZOX performed at include the UK's Reading and Leeds Festivals, Germany's Rock am Ring and Rock im Park Festivals, Italy's Rock

the Week, NovaRock Austria, and Switzerland's Greenfield Festival. In 2006, the band signed with SideOneDummy Records (The Mighty Mighty Bosstones, Gogol Bordello, Flogging Molly) in 2006, Foundations Artist Management (Dr. Dog, Dispatch, Owl City), CAA Booking Agency (AC/DC, John Mayer, etc.), and Dave Stein/Jennifer Justice of Carroll, Guido & Groffman, LLP (Jay-Z). ZOX music has been and continues to be featured and synced worldwide in all media, including on television, e.g., MTV's *The Real World/Road Rules* and *Project Runway*, in film, e.g., *Snow Gods*, and in video, including dozens of music videos on YouTube.

2. From 2009 to present, ZOX performed occasional shows each year through the Northeastern United States, with the last show in 2014. ZOX has and currently intends to play reunion shows and small tours and create new music for the rest of the bandmembers' lives. ZOX's next show is in December 2020.

3. Throughout its existence, ZOX has sold a wide variety of merchandise, both at shows and online, primarily including apparel, band paraphernalia, CDs, and print posters. On tours, ZOX also sold various merchandise including shoelaces, headbands, shot glasses, bumper stickers, games, wristbands, gift cards, etc.

4. ZOX markets, promotes, and sells its merchandise online at its website [www.zoxband.com](http://www.zoxband.com) and [www.zazzle.com](http://www.zazzle.com) and at shows.

5. ZOX's music has been widely streamed online on platforms since 1998, including more recently on Pandora, Amazon, Apple, and Spotify, generating income from over 1 million streams annually.

6. Applicant—either individually, as co-applicant with his brothers Andrew Zox and Daniel Zox, or in partnership with fellow ZOX band member Eli Miller under the partnership name Zox Music—owns in whole or in part the right, title and interest in and to the **ZOX** Marks,

the applications and registrations for which are indicated below:

MARK and OWNERS	REG. NO.	GOODS	CLASS	FIRST USE	FILING DATE	REG. DATE
<b>ZOX (John Zox)</b>	Ser. No. 88228839	Non-magnetically encoded gift cards; Stickers and transfers	16	Sept. 1, 2004	Dec. 13, 2018	Pending
		Non-metal identification bracelets	20	June 1, 2005		
		All-purpose straps comprised of synthetic textile materials; Sacks or bags for the transportation or storage of materials in bulk; String.	22	June 1, 2005		
		Fabrics for textile use.	24	Jan. 1, 2007		
		Arm bands; Belt buckles; Charms for shoes; Clothing accessories, namely, charms for attachment to zipper pulls and buttons; Hair bands; Shoe laces.	26	June 1, 2005		
		Party games	28	Jan. 1, 2007		
<b>ZOX (Andrew Zox, Daniel Zox, John Zox)</b>	Ser. No. 86954997  Reg. No. 5268843	Prerecorded video cassette tapes, audio and video discs in the nature of CDs and DVDs and digital files, motion picture and documentary film, all featuring live action, computer generated, animated cartoons and musical entertainment and educational subject matter in the field of literature, science, history, art, government, engineering, philosophy, fashion, mathematics, economics, and zoology; film and video equipment, namely still, motion picture film and video cameras, videocassette recorders, videocassette players, digital video or audio players, and film and video editing machines; computer software for film and video editing; eyeglasses	9	Jan. 1, 2006	Mar. 28, 2016	Aug. 22, 2017
		Production, development and distribution of motion picture films, television programs, documentary films, music videos, virtual and augmented reality videos, concert video and interactive media in the nature of literature, science, technology, religion, sports, politics, history, art, government, engineering, philosophy, fashion, mathematics, and economics; theatrical or musical works performed in a live setting; publication of books and screenplays; providing a website featuring educational information in	41	Jan. 1, 2006		

		the field of music, theater, cinema, design, photography, visual and performing arts and animal training; production of audio and audiovisual recordings; Entertainment in the nature of live radio personality performances; Entertainment services, namely, providing webcasts and video podcasts in the field of personality performances.				
<b>ZOX (Zox Music Partnership of Eli D. Miller and John Zox)</b>	Ser. No. 78232386  Reg. No. 2838652	Compact discs featuring musical sound recordings	9	May 30, 2000	Apr. 1, 2003	May 4, 2004  <i>Cancelled Dec. 10, 2010</i>
		Entertainment, namely, live performances by a musical band	41	Jan. 29, 1999		
<b>ZOX (design)</b>  <b>( Zox Music Partnership of Eli D. Miller and John Zox)</b>	Ser. No. 78429680  Reg. No. 2965344	Series of compact discs featuring musical sound recordings	9	May 30, 2000	June 3, 2004	July 5, 2005  <i>Cancelled Oct. 12, 2012</i>
		Entertainment, namely, live performances by a musical band	41	Nov. 28, 1999		

7. A true and correct copy of the trademark registrations are attached hereto as **Exhibit A**. Each of the registrations (except as indicated) shown in Exhibit A are valid and subsisting, and are *prima facie* or conclusive evidence of Prohibition's exclusive right to use said marks in commerce on the goods and services specified in each registration.

8. Applicant is also the owner of common law rights to the same marks identified in Paragraph 6 dating back to at least as early as 1999.

9. Since at least as early as 1999, Applicant has been using, in commerce that Congress may regulate, its **ZOX** Marks in connection with its goods and services. Examples of Applicant's **ZOX** Marks used in connection with its goods and services and on packaging, in retail stores, and online, and including, for example, apparel, band paraphernalia, CDs, print posters, shoelaces, headbands, shot glasses, bumper stickers, games, wristbands, gift cards, etc.

are attached hereto as **Exhibit B**.

10. Applicant has expended a substantial amount of money and effort in advertising and promoting its **ZOX** Marks.

11. As a result of Applicant's long-standing and continuous use of the **ZOX** Marks and its success in selling, advertising, and promoting goods and services bearing the marks, the **ZOX** Marks have become strong and well known, and consumers have come to know, rely upon, and recognize the **ZOX** Marks as identifying quality goods and services emanating from Applicant and ZOX band.

12. The **ZOX** brand is the most publicly recognizable brand of Applicant and the ZOX band in the minds of consumers—so much so in fact that consumers primarily know Applicant through its **ZOX** Marks. As a result of Applicant's substantial promotional, advertising, publicity, and public relations activities for over two decades, the **ZOX** Marks have acquired substantial goodwill and are an extremely valuable commercial asset.

13. Applicant's **ZOX** Marks are inherently distinctive, serving to identify and indicate the source of Applicant and ZOX band's goods and services to the consuming public, and to distinguish Applicant and ZOX band's goods and services from those of others.

#### ***Opposer's Unlawful Conduct***

14. Opposer, with both constructive and, upon information and belief, actual knowledge of Applicant's **ZOX** Marks, began making, offering for sale, selling, promoting, and/or advertising goods and services—namely wristbands, bracelets, hoodies, backpacks, and an online store featuring the same—under the alleged marks ZOX, ZOX STRAPS, and ZOXBOX.

15. By Opposer's own sworn admissions, Opposer's use of the ZOX, ZOX STRAPS,

and ZOXBBOX marks began *no earlier than 2011*, well after Applicant's first use of the **ZOX** Marks in 1999. *See* Notice of Opposition (Opp."), ¶¶ 9-10, 12-13.

16. Opposer, with both constructive and, upon information and belief, actual knowledge of Applicant's **ZOX** Marks, uses the alleged ZOX, ZOX STRAPS, and ZOXBBOX marks in its web address zox.la, on its website, and on social media accounts, including Facebook, Twitter, and Instagram.

17. Opposer's use of the ZOX, ZOX STRAPS, and ZOXBBOX marks has always been and continues to be without permission, consent, or authority of Applicant.

18. Opposer and/or its predecessor claims to have conceived of the brand name ZOX STRAPS in or around 2011 as follows: "My dad suggested we call our new invention Zox Straps. We all laughed at the time, but he insisted it would catch on so we went with it. He now claims he owns 1% of the company because of this." However, a google search of "ZOX" in 2011 would have resulted in Applicant's ZOX band being the first eight to 10 results for music, merchandise, etc.

19. The three regions that Zox Straps, LLC, a predecessor owner of the ZOX and ZOX STRAPS marks, has had bases in over the years—Austin TX, Los Angeles CA, and Michigan—are also places where ZOX band toured often in the years just preceding when Opposer and/or its predecessor chose its name in 2011. Applicant's merchandise branded and sold under its mark **ZOX** would have been extremely prevalent in those cities at that time.

20. Despite, on information and belief, Opposer's knowledge and awareness of Applicant's prior use of ZOX and multiple registrations for ZOX, Opposer began filing applications for ZOX-related marks in 2011.

21. Opposer's unauthorized use of the marks ZOX, ZOX STRAPS, and ZOXBBOX

has caused countless instances of actual confusion in the marketplace or misunderstanding as to the source, sponsorship, approval or certification of Opposer's goods and has caused actual confusion as to Opposer's affiliation, connection or association with, or certification by, Applicant. Consumers have been confused that Opposer's goods, including bracelets and wristbands, marketed under the marks ZOX, ZOX STRAPS, and ZOXBOX are associated with Applicant, Applicant's **ZOX** Marks, and Applicant's ZOX band. A true and correct copy of screenshots from social media and text messages showing evidence of actual confusion is attached hereto as **Exhibit C**.

22. Indeed, in a phone conversation on September 2, 2016 between Applicant and Jason Kuipers, principal for Opposer, Mr. Kuipers admitted to actual confusion.

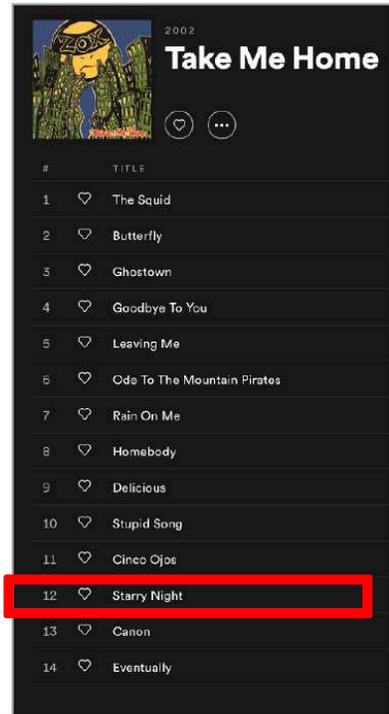
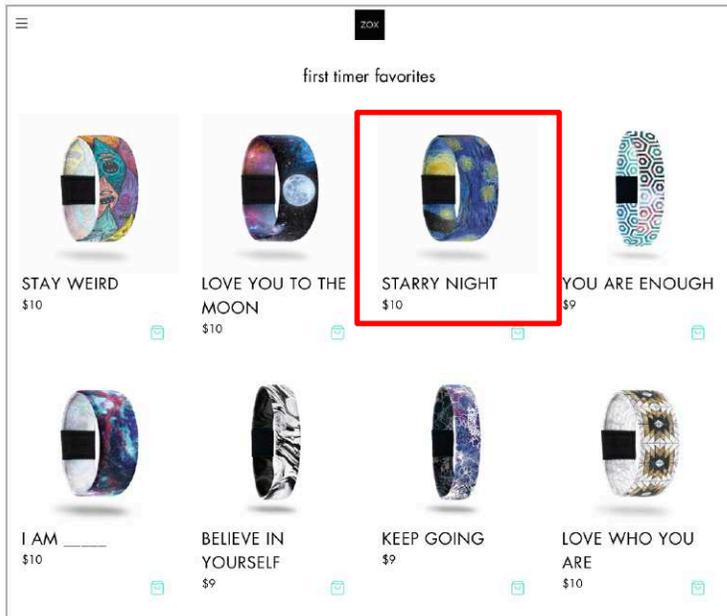
23. On information and belief, Opposer used the term ZOX in keyword advertising on Google and Facebook to target fans of Applicant's ZOX band. On information and belief, instances of actual confusion have been caused by such keyword advertising. Opposer's use of advertisements on Facebook and Google were targeted toward fans of ZOX band to market and sell Opposer's merchandise. *See Exhibit B*.

24. In addition to causing actual confusion, Opposer has engaged in a pattern of intentional conduct intended to infringe up and evoke ZOX's band, the ZOX brand, and Applicant's **ZOX** Marks, among the same target audience of young people.

25. As shown below, Opposer's ZOX logo (left) is strikingly similar to Applicant's ZOX logo (right).



26. As shown below, Opposer has chosen products names that match Applicant’s ZOX band’s song names. For example, Opposer’s wristband product “Starry Night” (left) has the same name as ZOX band’s popular song (right).



**PRIORITY/LIKELIHOOD OF CONFUSION**

27. Opposer alleges, in the Notice of Opposition, “Applicant’s Mark so resembles House of Kuipers’ Trademarks, as to be likely to cause confusion, or cause mistake, or to deceive, in violation of Section 2(d) of The Trademark Act, 15 U.S.C. §1052(d), when used on or in connection with Applicant’s Goods.” (Opp., ¶ 21.)

28. Opposer’s alleged “House of Kuipers’ Trademarks” comprise ZOX, ZOXBOS, ZOX STRAPS, and ZOXLIST. (Opp., ¶ 7.)

29. Opposer alleges, in the Notice of Opposition, that Applicant’s ’839 Application for ZOX for “non-metal identification bracelets” in class 20, “all-purpose straps comprised of synthetic textile materials; sacks or bags for the transportation or storage of materials in bulk;

string” in class [22], “fabrics for textile use” in class [24], and “arm bands; belt buckles; charms for shoes; clothing accessories, namely, charms for attachment to zipper pulls and buttons; hair bands; shoe laces” in class [26], each “*directly overlap(s) or are in close proximity to* House of Kuipers’ Goods, including wristbands, bracelets, backpacks, clothing and accessories...” (Opp., ¶¶ 16-19 (emphasis added).) (Class numbers in brackets were misidentified by Opposer in its Opposition.)

30. Opposer’s Reg. No. 4,759,961 for ZOXBOS is for “Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Wristbands.”

31. Applicant has used the mark ZOX shown in the ’839 Application for “non-metal identification bracelets” in class 20 since at least as early as June 1, 2005, for “all-purpose straps comprised of synthetic textile materials; sacks or bags for the transportation or storage of materials in bulk; string” in class 22 since at least as early as June 1, 2005, for “fabrics for textile use” in class 24 since at least as early as January 1, 2007, and “arm bands; belt buckles; charms for shoes; clothing accessories, namely, charms for attachment to zipper pulls and buttons; hair bands; shoe laces” in class 26 since at least as early as June 1, 2005, well before any use, claimed use or constructive use of ZOXBOS by Opposer in 2012.

32. In light of Opposer’s claims that (1) “Applicant’s [’839 Application for ZOX] so resembles House of Kuipers’ Trademarks [which includes ZOXBOS], as to be likely to cause confusion, or cause mistake, or to deceive” and (2) the goods for which Applicant seeks to register the ’839 Application “*directly overlap(s) or are in close proximity to* House of Kuipers’ Goods, including wristbands, bracelets, backpacks, clothing and accessories,” *combined* with Applicant’s *prior use* of the opposed mark ZOX, Opposer’s Reg. No. 4,759,961 for ZOXBOS should be cancelled.

33. Opposer alleges, in the Notice of Opposition, that Applicant's '839 Application for ZOX for "non-metal identification bracelets" in class 20, "all-purpose straps comprised of synthetic textile materials; sacks or bags for the transportation or storage of materials in bulk; string" in class [22], "fabrics for textile use" in class [24], and "arm bands; belt buckles; charms for shoes; clothing accessories, namely, charms for attachment to zipper pulls and buttons; hair bands; shoe laces" in class [26], each "***directly overlap(s) or are in close proximity to*** House of Kuipers' Goods, including wristbands, bracelets, backpacks, clothing and accessories" in, *inter alia*, Reg. No. 5,233,845 for ZOX. (Opp. ¶¶ 16-19 (emphasis added).) (Class numbers in brackets were misidentified by Opposer in its Opposition.)

34. Applicant has used the mark ZOX shown in the '839 Application for "non-metal identification bracelets" in class 20 since at least as early as June 1, 2005, for "all-purpose straps comprised of synthetic textile materials; sacks or bags for the transportation or storage of materials in bulk; string" in class 22 since at least as early as June 1, 2005, for "fabrics for textile use" in class 24 since at least as early as January 1, 2007, and "arm bands; belt buckles; charms for shoes; clothing accessories, namely, charms for attachment to zipper pulls and buttons; hair bands; shoe laces" in class 26 since at least as early as June 1, 2005, well before any use, claimed use or constructive use of ZOX by Opposer in 2011.

35. In light of Opposer's claims that (1) "Applicant's ['839 Application for ZOX] so resembles House of Kuipers' Trademarks [which includes ZOX], as to be likely to cause confusion, or cause mistake, or to deceive" and (2) the goods for which Applicant seeks to register the '839 Application "***directly overlap(s) or are in close proximity to*** House of Kuipers' Goods, including wristbands, bracelets, backpacks, clothing and accessories," ***combined*** with Applicant's ***prior use*** of the opposed mark ZOX, Opposer's Reg. No. 5,233,845 for ZOX should

be cancelled.

**NON-USE**

36. On information and belief, Opposer either no longer uses or has never used the ZOX and ZOXBOX marks in interstate commerce in connection with certain categories of goods as required by Section 45 of the Trademark Act, 15 U.S.C. § 1127.

37. On information and belief, Opposer either no longer or has never shipped any product, sample or specimen bearing the ZOX mark in interstate, international or other commerce which Congress may regulate in connection with “shirts” in class 25.

38. On information and belief, Opposer either no longer or has never used the ZOX mark in connection with “shirts” in class 25.

39. On information and belief, Opposer does not intend to resume use or begin use of the ZOX mark with respect to “shirts” in class 25.

40. Opposer has therefore abandoned Registration No. 4,465,691 for ZOX with respect to “shirts” in class 25.

41. Therefore, Opposer’s Registration No. 4,465,691 for ZOX should be cancelled with respect to “shirts” in class 25.

42. On information and belief, Opposer either no longer or has never shipped any product, sample or specimen bearing the ZOXBOX mark in interstate, international or other commerce which Congress may regulate in connection with “Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms” in class 25.

43. On information and belief, Opposer either no longer or has never used the ZOXBOX mark in connection with “Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms” in class 25.

44. On information and belief, Opposer does not intend to resume use or begin use of the ZOXBOS mark with respect to “Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms” in class 25.

45. Opposer has therefore abandoned Registration No. 4,759,961 for ZOXBOS with respect to “Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms” in class 25.

46. Therefore, Opposer’s Registration No. 4,759,961 for ZOXBOS should be cancelled with respect to “Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms” in class 25.

**FRAUD ON THE U.S. PATENT AND TRADEMARK OFFICE**

47. On May 31, 2013 Opposer filed with the U.S. Patent & Trademark Office Application Serial No. 85948145 to register the mark ZOXBOS on the Principal Register, which included a sworn declaration signed under penalty of perjury by Adam R. Stephenson, attorney of record for Opposer, that the mark ZOXBOS was “first used in commerce at least as early as 09/15/2011, and is now in use in such commerce” in connection with “shirts” in class 25. Mr. Stephenson further swore:

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection

with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

48. On information and belief, such statements were false at the time they were made.

49. On information and belief, Opposer knew such statements were false at the time they were made.

50. On information and belief, Opposer knowingly made such false statements in order to induce the U.S. Patent & Trademark Office to issue a certificate of registration.

51. Insofar as the aforementioned false statements were knowingly made, such statements constitute fraud on the U.S. Patent & Trademark Office.

52. On information and belief, as of September 15, 2011, the alleged first use date, and May 31, 2013, the filing date, Opposer was not using the mark ZOX in commerce that Congress may regulate in connection with shirts.

53. On information and belief, Opposer either no longer uses or has never used the ZOX mark in connection with shirts in interstate, international, or other commerce which Congress may regulate.

54. On information and belief, Opposer does not intend to resume use or begin use of the ZOX mark in connection with shirts in interstate, international, or other commerce which Congress may regulate.

55. On information and belief, the mark has not been in continuous use in commerce that Congress may regulate for a period of five years after the date of registration or currently in use in commerce, as required by Section 15 of the Lanham Act, 15 U.S.C. § 1065.

56. In filing Application Serial No. 85948145, Opposer committed its *first* act of fraud on the U.S. Patent & Trademark Office.

57. On January 14, 2019, Opposer filed a Section 8 declaration of use for Reg. No. 4465691 for ZOX, which also included a sworn declaration signed under penalty of perjury by Kara Kuipers, attorney of record for Opposer, that “The [ZOX] mark is in use in commerce on or in connection with the following goods or services listed in the existing registration for this specific class...shirts.” Ms. Kuipers further swore under penalty of perjury:

Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s).

Unless the owner has specifically claimed excusable nonuse, the specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services/collective membership organization.

To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission and the registration, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

58. On information and belief, such statements were false at the time they were made.

59. On information and belief, Opposer knew such statements were false at the time they were made.

60. On information and belief, Opposer knowingly made such false statements in order to induce the U.S. Patent & Trademark Office to accept Opposer’s Section 8 affidavit.

61. Insofar as the aforementioned false statements were knowingly made, such

statements constitute fraud on the U.S. Patent & Trademark Office.

62. On information and belief, as of January 14, 2019, Opposer was not using the mark ZOX in commerce the Congress may regulate in connection with shirts.

63. On information and belief, Opposer either no longer uses or has never used the ZOX mark in connection with shirts in interstate, international, or other commerce which Congress may regulate.

64. In filing a Section 8 affidavit, Opposer committed its *second* act of fraud on the U.S. Patent & Trademark Office.

65. On October 1, 2019, Opposer filed a Section 15 declaration of incontestability in connection with Reg. No. 4465691 for ZOX, which also included a sworn declaration signed under penalty of perjury by Kara Kuipers, attorney or record for Opposer, that Opposer “has continuously used the mark [ZOX] in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still using the mark in commerce on or in connection with all goods or services listed in the existing registration for this class:…shirts[.]”

66. On information and belief, Opposer knew such statements were false at the time they were made.

67. On information and belief, Opposer knowingly made such false statements in order to induce the U.S. Patent & Trademark Office to accept Opposer’s Section 15 affidavit.

68. Insofar as the aforementioned false statements were knowingly made, such statements constitute fraud on the U.S. Patent & Trademark Office.

69. In filing a Section 15 affidavit, Opposer committed its *third* act of fraud on the U.S. Patent & Trademark Office.

70. On July 7, 2016 Opposer filed with the U.S. Patent & Trademark Office Application Serial No. 87095703 to register the mark ZOX on the Principal Register under Section 1(b) intent-to-use filing basis with respect to “backpacks.” The application included a sworn declaration signed under penalty of perjury by Kara Kuipers, attorney of record for Opposer, which stated:

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

71. On February 28, 2017, Opposer filed with the U.S. Patent & Trademark Office a Statement of Use under 15 U.S.C. § 1051(d), which also included a sworn declaration signed under penalty of perjury by Jason Kuipers, principal for Opposer, that the mark ZOX was “first used in commerce at least as early as 10/31/2016, and is now in use in such commerce” in connection with “backpacks” in class 18. Mr. Kuipers further swore:

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the

trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

72. On information and belief, such statements were false at the time they were made.

73. On information and belief, Opposer knew such statements were false at the time they were made.

74. On information and belief, Opposer knowingly made such false statements in order to induce the U.S. Patent & Trademark Office to issue a certificate of registration.

75. Insofar as the aforementioned false statements were knowingly made, such statements constitute fraud on the U.S. Patent & Trademark Office.

76. On information and belief, as of October 31, 2016, the alleged first use date, and February 28, 2017, the statement of use date, Opposer was not using the mark ZOX in commerce that Congress may regulate in connection with backpacks.

77. In filing Application Serial No. 87095703, Opposer committed its *fourth* act of fraud on the U.S. Patent & Trademark Office.

78. On information and belief, Opposer was aware of Applicant's use in commerce of ZOX in connection at the time it filed the above applications and Sections 8 and 15 affidavits.

79. For the foregoing reasons, the U.S. Patent & Trademark Office would have never issued Reg. No. 4465691 for ZOX or Reg. No. 5233845 for ZOX—or maintained such registrations—but for the knowingly fraudulent representations made by Opposer to the U.S.

Patent & Trademark Office in its application and Sections 8 and 15 affidavits.

80. Opposer's multiple acts of fraud on the U.S. Patent & Trademark Office warrant cancellation of Opposer's Reg. No. 4465691 for ZOX and Reg. No. 5233845 for ZOX.

81. Opposer's non-use of its marks in commerce that Congress may regulate is sufficient grounds—alone—to cancel Opposer's Reg. No. 4465691 for ZOX and Reg. No. 5233845 for ZOX.

WHEREFORE, for the foregoing reasons, Applicant respectfully requests that Registration No. 4,465,691 for ZOX, Registration No. 4,759,961 for ZOXBOX, and Registration No. 5,233,845 for ZOX be cancelled in full or in part.

Dated: March 19, 2020  
New York, New York

Respectfully submitted,

**LOMBARD & GELIEBTER LLP**

/s/ Darren M. Geliebter  
Darren M. Geliebter  
Eric J. Huang  
305 Broadway, 7th Floor  
New York, New York 10007  
(212) 520-1172 (telephone)  
(646) 349-5567 (facsimile)

*Attorneys for Applicant John Zox*

# **Exhibit A**

**Int. Cls.: 9 and 41**

**Prior U.S. Cls.: 21, 23, 26, 36, 38, 100, 101 and 107**

**Reg. No. 2,838,652**

**United States Patent and Trademark Office**

**Registered May 4, 2004**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**ZOX**

ZOX MUSIC (PARTNERSHIP)  
44 BURNSIDE AVENUE  
RIVERSIDE, RI 02915

FOR: COMPACT DISCS FEATURING MUSICAL  
SOUND RECORDINGS, IN CLASS 9 (U.S. CLS. 21, 23,  
26, 36 AND 38).

FIRST USE 12-30-1999; IN COMMERCE 5-30-2000.

FOR: ENTERTAINMENT, NAMELY, LIVE PER-  
FORMANCES BY A MUSICAL BAND, IN CLASS 41  
(U.S. CLS. 100, 101 AND 107).

FIRST USE 11-28-1998; IN COMMERCE 1-29-1999.

SER. NO. 78-232,386, FILED 4-1-2003.

APRIL L. RADEMACHER, EXAMINING ATTOR-  
NEY

**Int. Cls.: 9 and 41**

**Prior U.S. Cls.: 21, 23, 26, 36, 38, 100, 101 and 107**

**United States Patent and Trademark Office**

**Reg. No. 2,965,344**

Registered July 5, 2005

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**



ZOX MUSIC (RHODE ISLAND PARTNERSHIP)  
44 BURNSIDE AVENUE  
RIVERSIDE, RI 02915

FOR: SERIES OF COMPACT DISCS FEATURING  
MUSICAL SOUND RECORDINGS, IN CLASS 9 (U.S.  
CLS. 21, 23, 26, 36 AND 38).

FIRST USE 12-30-1999; IN COMMERCE 5-30-2000.

FOR: ENTERTAINMENT, NAMELY, LIVE PER-  
FORMANCES BY A MUSICAL BAND, IN CLASS 41  
(U.S. CLS. 100, 101 AND 107).

FIRST USE 11-28-1999; IN COMMERCE 11-28-1999.

OWNER OF U.S. REG. NO. 2,838,652.

THE COLOR(S) YELLOW AND BLACK IS/ARE  
CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A CIRCULAR FACE  
WITH BLACK EYES, A BLACK MOUTH AND A  
HEADBAND.

SER. NO. 78-429,680, FILED 6-3-2004.

GIANCARLO CASTRO, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

# ZOX

**Reg. No. 5,268,843**

Andrew Zox (UNITED STATES INDIVIDUAL)  
Church St. Sta. - PO Box 3236  
New York, NY 100083236

**Registered Aug. 22, 2017**

**Int. Cl.: 9, 41**

Daniel Zox (UNITED STATES INDIVIDUAL)  
Church St. Sta. - PO Box 3236  
New York, NY 100083236

**Service Mark**

**Trademark**

John Zox (UNITED STATES INDIVIDUAL)  
Church St. Sta. - PO Box 3236  
New York, NY 100083236

**Principal Register**

CLASS 9: Prerecorded video cassette tapes, audio and video discs in the nature of CDs and DVDs and digital files, motion picture and documentary film, all featuring live action, computer generated, animated cartoons and musical entertainment and educational subject matter in the field of literature, science, history, art, government, engineering, philosophy, fashion, mathematics, economics, and zoology; film and video equipment, namely still, motion picture film and video cameras, videocassette recorders, videocassette players, digital video or audio players, and film and video editing machines; computer software for film and video editing; eyeglasses

FIRST USE 1-1-2006; IN COMMERCE 1-1-2006

CLASS 41: Production, development and distribution of motion picture films, television programs, documentary films, music videos, virtual and augmented reality videos, concert video and interactive media in the nature of literature, science, technology, religion, sports, politics, history, art, government, engineering, philosophy, fashion, mathematics, and economics; theatrical or musical works performed in a live setting; publication of books and screenplays; providing a website featuring educational information in the field of music, theater, cinema, design, photography, visual and performing arts and animal training; production of audio and audiovisual recordings; Entertainment in the nature of live radio personality performances; Entertainment services, namely, providing webcasts and video podcasts in the field of personality performances

FIRST USE 1-1-2006; IN COMMERCE 1-1-2006

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SEC.2(F)

SER. NO. 86-954,997, FILED 03-28-2016  
SALLY SHIH, EXAMINING ATTORNEY



*Joseph Matol*

Performing the Functions and Duties of the  
Under Secretary of Commerce for  
Intellectual Property and Director of the  
United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**

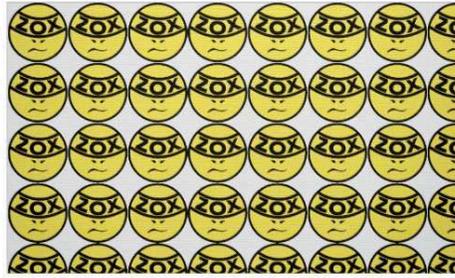
# Exhibit B

**ZOX** CD RELEASE PARTY  
[www.zoxband.com](http://www.zoxband.com)  
 @the Green Room  
 PROVIDENCE  
 w/  
**GRÜVIS MALT**  
 & PARANOID SOCIAL CLUB  
 SAT. Dec 14, 2002  
 \$7 18+ 9pm 10pm  
[www.snapsatgreenroom.com](http://www.snapsatgreenroom.com)

Sat. Feb. 1, 2003  
**ZOX**  
 Badfish  
 The Met Cafe  
 PROVIDENCE, RI  
[WWW.ZOXBAND.COM](http://WWW.ZOXBAND.COM)

**ZOX**  
 WITH SPECIAL GUEST PETE KILPATRICK  
**THURS. NOV 15TH**  
**CLUB HELL/DECIBEL**  
 73 RICHMOND ST. PROVIDENCE  
 PREVIEW TOUR!  
 NEW ALBUM: LINE IN THE SAND  
 PREORDER NOW, IN STORES JAN '08  
**ALL AGES \$13**  
**DOORS 7PM/SHOW 8PM**  
 TIX/INFO/MUSIC:  
[WWW.ZOXBAND.COM](http://WWW.ZOXBAND.COM)  
[MYSPACE.COM/ZOX](http://MYSPACE.COM/ZOX)

Share



### zox polyester fabric

\$40.50 per yard ★★★★★ 4.8 (158)



Artwork designed by **ZOX\_BAND\_OFFICIAL**  
View their Store

Fabric: [fabric guide](#) #

Polyester Poplin (60" width)

Size: [size chart](#) ↗

Yard

Quantity:

1 yard

Customize it!

Add to Cart

🚚 Custom made within 7 days. When will I get it?

♡ Like

➦ Add to

view larger



Fat Quarter

*40% Off Mugs, Pillows & More | 15% Off Sitewide | Use Code:*

**COZYUPSALE17** | Ends



**ZOX**  
Yachting boat shoes designed by JJJ

ZOX Apparel and Footwear



**\$ 139** (inc. VAT)

🚚 Free shipping to EU and US

Choose your size (US)

🛒 Pre-order your pair

Only 7 more pre-orders for this shoe to go into production, after which it will be delivered to you in **4 to 6 weeks**.

ZOX Stretch Pants

\$75.95

per pair of leggings

Qty: 1

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40% off with code BLKFRIDAYZAZ ends today



Designed for you

Customize



Size

Size Chart

Select a size

Share this: Go



Estimated delivery Nov 30 to Dec 3 via Express. [Shipping options](#)





zox classic round sticker  
 ★★★★★ 4.7 (4938)



✉ 📱 🌐 📧 📧 ...

\$4.95 per sheet of 20  
 Qty: 1 sheet of 20 [Add to Cart](#)

15% off with code COZYUPSALE17



Designed for you

[Customize](#)



Shape  
 Classic Round Sticker



Size  
 Small, 1 1/2 inch (sheet of 20) [More \(2\)](#)



Finish  
 Glossy



## Custom 3/4" Tyvek® Wristbands

Production: 1 Business Day

Style shown: Neon Yellow



[Edit Design](#)

500 pack count

100 pack count

Neon Colors



Neon Blue

0



Neon Green

0



Neon Orange

0



Neon Pink

0



Neon Red

0



Neon Yellow

0



Price: 1-19 \$15.90  
 20+ \$13.90

[In Stock](#)

Shipping: Will ship by Thursday, Jan 12th

FREE SHIPPING on Orders over \$100! (Contiguous US orders only)

Packs of 500: 0  
 Packs of 100: 0  
 Tyvek Setup: \$45.00  
 Total Price: \$45.00

[Add to cart](#)

# Exhibit C

making a similar one soon though!

See all 2 replies



**Patrick Keeffe**

ZOX is a band for ears, not wrists. You should make a ZOX ZOX.

Edited · Like · Reply · More · Apr 30



**Zox**

They split up a long time ago and to be fair, we did start off as Zox Straps but shortened it down to just ZOX once we got the trademark for clothing.

Like · 2 · Reply · More · May 2



**Patrick Keeffe**

Hahaha guys I was joking 😊

Like · Reply · More · May 2



**Patrick Keeffe**

Though I do think a ZOX ZOX would be funny, but that's just my sense of humor 😊



**Patty Pitcher** These look cool, and they're like only 8 bucks? **Christi** I saw one with turtles I think Torr would like, but idk if the "DUDE" part is the inside or if it would be visible.

Edit: <https://zox.la/product/dude/> It is reversible, so like I think she'd dig it lol



**Dude | ZOX**

The inspiration for Dude came from Taylor Rayne. She asked if someone could design a turtle themed strap. So I set out on an adventure. I began with thinking about what...

ZOX.LA

Like · Reply · 2 · 10 hrs · Edited



**Nick Deadrick** Donnie, I want one of these

Like · Reply · 2 · 9 hrs



**Zoe Snow** Grace Barnett

Like · Reply · 2 · 10 hrs



**Bobby Chambless** dang I thought ZOX got back together for a second 🤔

Like · Reply · 2 hrs



**Ruben Moreno** They're... Bracelets.

Like · Reply · 2 · 3 hrs

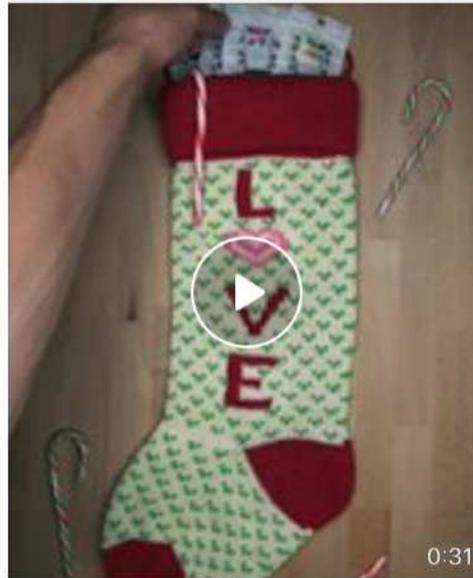
2:20 PM

22%

Touch to return to call 28:16

< Home Christine, Daniel, Rog... >

I saw this and thought, is the band getting back together?? Is this the first promo?? The I saw ZOx is a clothing company. 🙄

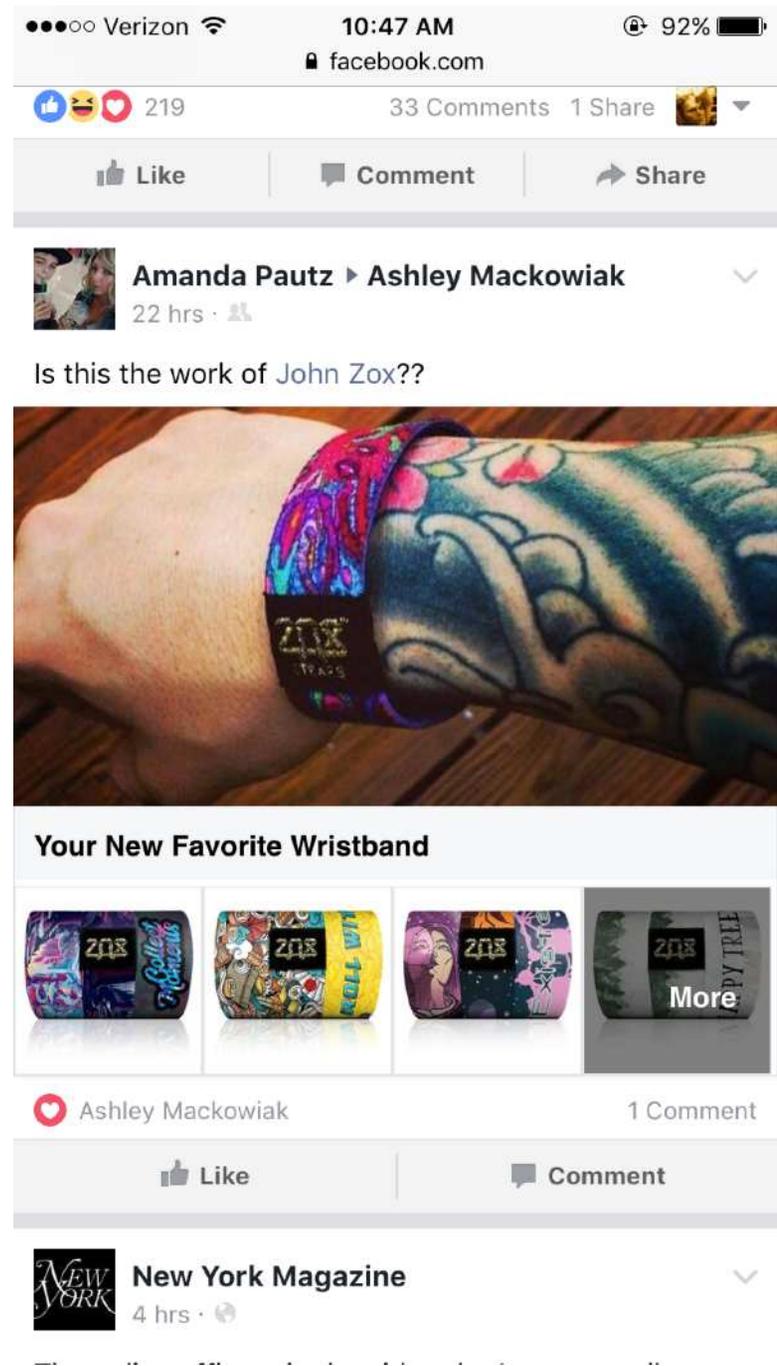


ZOX Bracelets are this seasons best stocking stuffer. Every ZOx comes with a work of art printed on one side and a positive daily reminder on the inside. Plus, every order provides a year of clean dri

Zox

+ 📷 🖼️ 💰 Aa 😊 👍





Mentions

Shares

Requests

Invite Friends to Like This Page

Invite your friends to like ZOx



Sam Patodia

Invite



Jilian McLendon

Invite



Florencia Desrosiers

Invite



Amanda Holt

Invite

See All Friends

Promote Page

Suggest Page

Share Page

Get Clicks to Your Website



Get the people you care about to visit your website  
<http://www.myspace.com/zox>

Promote Website



Zox

September 15 at 12:15am · 🌐

Like as Your Page

ZOX Are More Than Just a Wristband, They're a Statement About Who You Are And The Message You Want To Share With The World. Wear Your Story Today With Your New Favorite Wristband.



### Wear Your Story

It's Not Just A Wristband, It's The Greatest Experience We Could Possibly Make.

ZOX.LA

Shop Now

👍❤️😄 Darleen 'Blue' Hall, Anna Reider and 226 others

20 Comments 61 Shares 🗨️

Like

Comment

Share

Top Comments ▾



Write a comment...



Press Enter to post.



**Vicki Bries Rieder** Maybe smaller sizes too... I have small wrists and I'd also like to purchase some for my 11 year old daughter.

**Zox** Thank you! 😊

Like · Reply · September 16 at 1:35am



**Karma Lacquement-howley** Nursing one, wildlife rehabilitator - squirrels on it

Like · Reply · 3 · September 17 at 9:49pm



**Julie Canfield** Yes nursing!!

Like · Reply · 3 · September 20 at 6:36am



**Leann Pass** Harlee Powell, a good job for you!

Like · Reply · 1 · September 20 at 9:44am



**Eileen Silverstein** What is the unstretched length (circumference) of the bracelets? I have small wrists and normally wear 6"-6.5" bracelets.

Like · Reply · 1 · 15 hrs



**Hope Lee Barry** LeBlanc

Like · Reply · 2 · September 17 at 6:51pm



**Dawn Reynolds** autism colors please so my son could wear it and purple could easily see why he may be acting a certain way

Like · Reply · 3 · September 20 at 10:06pm



**Susan Plunkett Schuyler** How can I get this exact one in picture?

Like · Reply · 13 hrs



**Taryn Balchunas** Ever heard of the band ZOx? 😊

Like · Reply · 50 mins

Invite your friends to like ZOx



Sam Patodia

Invite



Jilian McLendon

Invite



Florencia Desrosiers

Invite



Amanda Holt

Invite

See All Friends

Promote Page

Suggest Page

Share Page

Get Clicks to Your Website

Get the people you care

Notifications

Activity

Mentions

Shares

Requests

Promote Page

Invite Friends

Share Page

Get Clicks to Your Website



Get the people you care about to visit your website  
<http://www.myspace.com/zox>

Promote Website



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Alaysia Marie Wert... 31 Shares

Like Comment

Write a comment  
Press Enter to post.

Top Comments

Nicolle Ekkeren Be...  
Like · Reply · 10 hrs

ZOX Zox It just v...  
Like · Reply · 8

Joelle Alexander V...  
Like · Reply · 3 hrs

Andrew Post False. ZOX  
Like · Reply · 3 hrs

**ZOX** Messages **1** Notifications

Latest Unread Message 5 months ago

**Nat Andrew Snider**  
Yes please!!!!

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For the bad boys  
the artist chicks  
the free thinkers

2 hrs Like Reply More

Daniel Tovar replied · 1 reply



Alex Kats  
They apparently match well with bad tattoos

8 mins Like Reply More



Michael Mathson  
So I enjoyed the Chipettes music in the first video, but have to wonder how many other tasks on my checklist can be put on like 'walk the dog' or 'turn off the oven' in addition to 'slow down'. Not impressed.

28 mins Like Reply More



Katie McLaughlin  
It's also a band. Do they know you're using the same name? ZOX

3 hrs Like Reply More



Theresa Shea Whisenhunt  
TRUTH... I have a concert t from them. They were touring with Flogging Molly.

28 mins Like Reply More

Recent Mentions



Reed Phillips shared Zox's post.  
5 hrs ·

This caught my eye, not b/c I wear wristbands, but b/c when I was in college a friend shared w/ me a band called ZOX, which I still enjoy from time to time.



<http://ZOX.la/>

**Wear Your Story**

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Life's Too Short To Have A Negative Ou...

**ZOX** Zox

November 10, 2017 at 6:10pm ·

What are ZOX? They're that little positive reminder that help you make it through the day.